
STATUTORY INSTRUMENTS

2005 No. 18

The European Communities (Recognition of Professional Qualifications) (First General System) Regulations 2005

[^{F1}Evidence from competent authorities

9.—(1) A designated authority shall, in connection with any matter requiring to be established pursuant to regulation 5 or 6, accept as sufficient evidence thereof the certificates or other documents duly issued by a competent authority of the relevant State for the purpose of attesting such matters.

(2) A designated authority which—

- (a) requires of a migrant for authorisation to practise proof that he is of good character or repute, or that he has not been declared or adjudged bankrupt, or had a bankruptcy or similar order made against him or in relation to his estate; or
- (b) suspends or prohibits practise in the event of serious professional misconduct or the commission of a criminal offence;

shall accept as sufficient evidence in relation to the foregoing:

- (i) the documents showing the relevant conditions are met, duly issued by the competent authorities of the relevant State of origin of the migrant, the relevant State from which the migrant comes or the relevant State in which the migrant formerly qualified or practised; or
- (ii) where those authorities do not issue such documents, a declaration on oath or solemn declaration to the required effect, made by the migrant before a competent judicial or administrative authority or (where appropriate) a notary or duly qualified professional body of the relevant State; provided that in each case such declaration is authenticated by a certificate issued by the authority, notary or body.

(3) A designated authority which requires of persons wishing to practise a certificate of physical or mental health, shall accept as sufficient evidence thereof the documents required for such a purpose in the relevant State of origin of the migrant, the relevant State from which the migrant comes or the relevant State in which the migrant formerly qualified or practised, or (where none are required in those States) a certificate issued by a competent authority there which corresponds to the certificate issued for that purpose in the United Kingdom.

(4) A designated authority may require any document or certificate referred to in paragraph (2) or (3) of this regulation to be presented no more than three months after the date of its issue.

(5) Where a designated authority requires migrants to take an oath or make a solemn declaration, the form of which is such that it cannot be taken or made by nationals of another relevant State, it shall ensure that an appropriate equivalent form of oath or declaration is available for those nationals.

(6) A designated authority which requires proof of financial standing in respect of a migrant for authorisation to practise shall, in respect of a migrant, regard certificates issued by banks in the relevant State of origin of the migrant, the relevant State from which the migrant comes or the relevant State in which the migrant formerly qualified or practised as equivalent to those issued by banks in the United Kingdom.

(7) Subject to paragraph (8) a designated authority which requires proof that a migrant for authorisation to practise is insured against the financial risks arising from the migrant's professional

Changes to legislation: There are currently no known outstanding effects for the The European Communities (Recognition of Professional Qualifications) (First General System) Regulations 2005, Section 9. (See end of Document for details)

liability shall in respect of a migrant accept certificates issued by insurance undertakings of other relevant States as equivalent to those issued by insurance undertakings in the United Kingdom.

(8) Any certificate referred to in paragraph (7) shall state that the insurer has complied with the laws and regulations in force in the United Kingdom regarding the terms and extent of cover and shall be presented no more than three months after the date of issue.]

F1 Regulations revoked (except in their application to the profession of company auditor) (19.10.2007) by [The European Communities \(Recognition of Professional Qualifications\) Regulations 2007 \(S.I. 2007/2781\)](#), reg. 1(2), **Sch. 6**

Changes to legislation:

There are currently no known outstanding effects for the The European Communities (Recognition of Professional Qualifications) (First General System) Regulations 2005, Section 9.